



DT03 Rec'd PCT/PTO 28 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

W. Symonds

GROUP ART UNIT: unknown

Serial No.: 10/519,738

EXAMINER: unknown

Filed: December 28, 2004

For: ASSAY FOR DETECTING AN
ANALYTE CONTAINING OR
LABELLED WITH A HAEM
MOIETY

February 23, 2005

Attorney Docket No. 41577/308355

I hereby certify that this correspondence is being
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andria, VA 22313-1450, on February 23, 2005

Dan W. Runner
Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98,

Applicant identifies the materials listed below and on the form
accompanying this submission:

U.S. PATENTS

<u>Number</u>	<u>Inventors</u>	<u>Date</u>
5,156,971	Kiel, et al.	October 20, 1992
3,959,081	Witz, et al.	May 25, 1976

NON-U.S. PATENT DOCUMENTS

<u>Number</u>	<u>Country/Region</u>	<u>Date</u>
WO 98/54578	WIPO/PCT	December 3, 1998
0247796	EPO	December 2, 1987
0480361	EPO	April 15, 1992
0812920	EPO	December 17, 1997

OTHER MATERIALS

D. Muller-Schulte, et al., "Novel magnetic microspheres on the basis of poly(vinyl alcohol) as affinity medium for quantitative detection of glycated haemoglobin," Journal of Chromatography, Vol. 711, pp. 53-60 (1995).

L. Ewetz, et al., "Factors Affecting the Specificity of the Luminol Reaction with Hematin Compounds" (1976).

T. Stabler, et al., "Chemiluminescence Immunoassay of Aldosterone in Serum," Clinical Chemistry, Vol. 37, No. 11, pp. 1987-1989 (1991).

Abstract of Japanese Patent Document No. 07140143, June 2, 1995.

Copies of the listed materials are enclosed. Applicant does not concede that the identified materials, or any of them, constitute prior art within the meaning of the United States patent laws.

Applicant is submitting this paper within three months of the filing of the application and before receipt of an Office Action concerning the merits of the invention claimed in the application and accordingly believes no fee is due. See 37 C.F.R. § 1.97(b). However, if Applicant's beliefs are mistaken, the Assistant Commissioner is authorized to debit deposit account No. 11-0855 for any such fee presently due.

OF COUNSEL:

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Respectfully submitted,



Dean W. Russell
Reg. No. 33,452
Attorney for the Assignee

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Substitute for form 1449A/PTO <h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p><i>(Use as many sheets as necessary)</i></p>				Complete if Known	
				Application Number	10/519,738
				Filing Date	December 28, 2004
				First Named Inventor	W. Symonds
				Art Unit	Unknown
				Examiner Name	Unknown
				Attorney Docket Number	41577/308355
Sheet	1	of	2		

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² - Number ⁴ - Kind Code ³ (if known)				
		WIPO/PCT – WO 98/54578	12/3/98			
		EPO – 0247796	12/2/87			
		EPO – 0480361	4/15/92			
		EPO – 0812920	12/17/97			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/519,738
Filing Date	December 28, 2004
First Named Inventor	W. Symonds
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	41577/308355

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		D. Muller-Schulte, et al., "Novel magnetic microspheres on the basis of poly (vinyl alcohol) as affinity medium for quantitative detection of glycosylated haemoglobin," Journal of Chromatography, Vol. 711, pp. 53-60 (1995)..	
		L. Ewetz, et al., "Factors Affecting the Specificity of the Luminol Reaction with Hematin Compounds" (1976).	
		T. Stabler, et al. "Chemiluminescence Immunoassay of Aldosterone in Serum," Clinical Chemistry, Vol. 37, No. 11, pp. 1987-1989 (1991)..	

Examiner
SignatureDate
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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